

**Brookfield Charter Revision Committee**  
**MINUTES (approved 10/06/11)**  
**Thursday September 15, 2011, 7:00 p.m.**  
**Selectman's Conference Room (2<sup>nd</sup> Floor), Brookfield Town Hall**

Chairman Miller convened the meeting at 7:10 p.m. and established a quorum of members.

**Present:** Chairman L. Miller, Vice Chairman J. Park, Secretary D. Miles, M. Labadia (arrived at 7:10 p.m. and left at 9:10 p.m.), S. Martone, D. Propper, G. Dembowski, R. Jaffe

**Absent:** None

**Also Present:** First Selectman B. Davidson, Recording Secretary D. Cioffi

**2.0 Public Comments (15 minutes).**

*First Selectman Bill Davidson was present.* There was discussion regarding the portions of the Charter that deal with discretionary spending; specifically, Sections C8-5, C8-8 and C9-4. First Selectman Davidson suggested that if an expense is “net zero”, it should be able to be approved by the Board of Selectman. He cited the example of the last Town meeting, which set a date to vote on the expenditure of money obtained via a STEAP or other type of grant. Upon inquiry from Chairman Miller, First Selectman Davidson advised that, within the STEAP grant, there are conditions attached by the State.

*J. Voris, 26 Silvermine Rd., was present.* He inquired how private donations to the Town are handled. First Selectman Davidson indicated that permission is not requested; the money is spent in the manner the donor intended for it to be spent.

*Commissioner Labadia arrived at 7:10 p.m.*

First Selectman Davidson explained that any special appropriations must go through a process per the Charter. To simplify the process, he suggested that from C8-5, the portions that read, “in amounts not to exceed ... in the current Town budget”. Additionally, he recommended that the following be added after the end of the same sentence: “If, over the course of the year the Selectmen want to exceed that one percent, they must get approval by a Town Meeting back from the zero dollar amount.” There was discussion regarding the caution that must be utilized with the special appropriations. First Selectman Davidson suggested that “thirty days” be changed to “forty-five days” and that instead of “after receipt thereof” that it be changed, “shall immediately notify the Board of Selectmen of such approval.” Commissioner Jaffe will draft the revisions that were discussed.

First Selectman Davidson also suggested that in Section C8-7(D), by vote of the Board of Selectmen, two years could be added for a total of five. He cited an example of the Town waiting for the federal government to fund the money promised by the State.

Other suggestions included more consistent language in Section C8-6, Emergency Appropriations, and changes in percentage for Sections C8(5) and C9(4)(A)1 and (2).

First Selectman Davidson noted that the current percentages for petitions for referendums are low. He also requested that in Section C4-7A, “draft minutes” be changed to “approved minutes” and to add “whichever occurs first”. He further suggested changing “two percent” to “ten percent”. Commissioner Propper thought “four percent” would be more appropriate. Lastly, also in Section, C4-7A, First Selectman Davidson suggested a change in the words, “is filed with the Town Clerk” to the same language present in Sections C4-8B and C4-9B: “certified by the Town Clerk” (which can take a few days) so that these sections are consistent.

Commissioner Propper noted that it is important to consider how many changes the residents will consider when the Charter Revision is voted upon.

First Selectman Davidson also pointed out that the current percentages in Section C4-7 allow for one hundred residents to overturn the Board of Selectmen.

With regard to Section C4-8B, it currently uses “three percent”, and First Selectman Davidson suggested that “ten percent” be utilized. Additionally, he recommended that in Section C4-9B, Power of Initiative, to change “three percent” to “five percent”; and in Section C4-9C, to change “five percent” to “ten percent”.

Vice Chairman Park noted that the changes in these percentages and other Charter revisions may affect Town ordinances.

Commissioner Propper suggested that a chart be made showing what percentages are currently required for certain actions, and what is being proposed.

With regard to Section C4-10A, Repeal, the language of the percentages will have to be changed to mirror the above proposed percentages for the particular actions.

First Selectman Davidson also noted that Section C4-10B calls for the First Selectman to review all of the ordinances biannually. There was discussion regarding this task being completed by a Town Manager or Town Attorney to ensure compliance. It was stated that there are some ordinances that are so outdated that they should be taken off the books. Commissioner Propper suggested that an ad hoc committee review the ordinances and suggest changes, additions and deletions to the Board of Selectmen. It was suggested that this be charged to this ad hoc committee, and supervised by the BOS, every five years.

First Selectman Davidson recommended that the following be added to Section C4-11B(2), after “at such hearing such person shall be represented by counsel”; to add, “at their own expense”. It was noted that this is different from an instance when a Town Board or Commission member is sued by an applicant or construction company, for example.

First Selectman Davidson reiterated his support for the Town Manager form of government, as well as for increasing membership on the Board of Selectmen to five members.

*J. Voris was present.* He thanked the Commission for its work, but noted that so many changes would be “an impossible sell to the public”, because the increase in percentages for many of the above sections will require a number of voters beyond that which currently attend Town meetings.

Vice Chairman Park indicated that the Commission does not want to give up the Town Meeting form of government. She noted instances, however, when the current percentages have enabled groups to propose changes that are not for the greater good.

Mr. Voris continued that he was in favor of the Town Planner project, and stated that most voters are not informed on many issues in Town.

Commissioner Jaffe noted that the most important issues to educate the voters with regard to the Charter Revision are the Town Manager and increase in members of BOS. Commissioner Propper pointed out that another Charter Revision will take place in seven years. It was further noted that there will be at least two more public hearings regarding the current proposed Charter Revisions.

Mr. Voris further suggested that some of the procedures utilized by Director of Library Services, Anita Barney, be utilized to convey proposed changes in a clear manner to the residents.

#### **1.0 Correspondence.**

None.

#### **2.0 Review and Accept September 1, 2011 Meeting Minutes.**

**Vice Chairman Park moved to approve the Minutes of the September 1, 2011 Meeting. Secretary D. Miles seconded the motion, and it carried, 7-0-2, with Commissioners Jaffe and Scalzo abstaining.**

#### **4.0 Student intern research – status report and discussion.**

Commissioner Labadia indicated he spoke with D. Salvato, who was unable to attend this evening’s meeting. Ms. Salvato will not be doing the internship for credit, but would still like to participate. Commissioner Labadia advised her that the Commission is interested in her helping with the drafting, and he will forward any research he receives from her to the rest of the Commission members.

#### **5.0 Continued discussion and revisions on the “CRC Worksheet”.**

The changes noted in the last meeting’s discussion on the “CRC Worksheet” were reviewed for Commissioners Jaffe and Scalzo.

First Selectman Davidson's and Mr. Voris' comments, as well as the lack of voter involvement in the past, were noted.

Commissioner Labadia discussed that voters are "too busy" and they likely want "government to govern". The amount of misinformation that circulates around Town was also pointed out. Commissioner Propper reiterated that he would draft a chart with the current percentages for certain actions, as well as what is being proposed by the Charter Revision. Secretary Miles noted that a majority of the changes that are being made make the numbers more consistent and they will be beneficial to the Town government process.

Commissioner Jaffe noted that having separate ballots for the First Selectman and the Board of Selectmen, will make it complex for voters to determine possible outcomes. After some discussion, he indicated he would speak with Town Clerk J. Locke about what the ballot that will go to the voters will look like so that information can be shared with them in advance of the election.

#### **6.0 Continued discussion and revisions to the draft ballot questions.**

There was discussion regarding review of the proposed changes by the Town Attorney, and how the Charter changes will be reflected in the ballot questions.

Commissioner Dembowski noted the importance of pointing out the pros and cons of all of the changes being recommended. Vice Chairman Park referenced the method utilized by the Town of Ridgefield, which explained its changes in a detailed chart. She recommended that this method be utilized in Brookfield.

Commissioner Scalzo inquired how many articles of the Charter will be changed due to the addition of a Town Manager, and suggested that Town Attorney Grogins attend the next meeting.

Chairman Miller will attempt to get information regarding the Charter Revision summarized to share with the public. Vice Chairman Park reiterated the importance of emphasizing to the voters that the CRC is not proposing abolishing the Town Meeting form of government. Commissioner Propper noted it will be important to explain the need to professionalize and make more efficient the operations of the Town government via a Town manager and merger of the Planning and Zoning Commissions.

#### **7.0 Review schedule and assign tasks and targets (e.g. drafting charter changes, communication to the public, etc.)**

Commissioner Labadia inquired if it would be beneficial to schedule additional meetings to continue the CRC's work. Chairman Miller will check with Attorney Grogins regarding his availability, and determine if he would like the CRC to draft the Charter changes. Additionally, he will send him Secretary Miles draft ballot questions.

There was additional discussion regarding the role of Town Treasurer, specifically defining the duties of the position. Chairman Miller noted that there are some areas in the Charter that mention what he does. Commissioner Jaffe explained that the authority of "agent of the town deposit fund" means that he opens a bank account. He stated that the Treasurer also signs the bond, and there are some duties outlined by State statute. The Commission would welcome Mr. Scribner back in to clarify his duties. Commissioner Dembowski noted that many towns have eliminated the paid position of Town Treasurer. The Commission's recommendation is to make all town office holders on a volunteer basis, and the savings will fund the Town Manager's salary.

*Commissioner Labadia left the meeting at 9:10 p.m.*

It was further noted that the position of Town Treasurer is largely ceremonial. Commissioner Propper will review the Charter to see if the position plays a role in checks and balances.

**8.0 Open Discussion.**

None.

**9.0 Public Comments (15 minutes).**

None.

**10.0 Adjourn.**

**Commissioner Dembowski moved to adjourn the meeting at 9:12 p.m. Commissioner Propper seconded the motion, and it carried unanimously.**

***\*\* Next regular meeting scheduled for October 6, 2011 \*\****